

Minutes of the Board of Emergency Medical Services March 3, 2014 Meeting

CALL TO ORDER

Timothy Hoffman, Chairperson called the meeting of the Board of Emergency Medical Services to order at 9:02 a.m. Monday, March 3, 2014 in the Lighthouse Room, Country Inn and Suites, 5353 N 27th Street, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of Meeting Agenda at least 10 days prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services at least 24 hours prior to the meeting.

CHAIRPERSON ANNOUNCEMENT

Mr. Hoffman announced that this is a public meeting and the Open Meetings Law was posted.

DEPARTMENT ANNOUNCEMENT CONCERNING BOARD AND STAFF

Ms. Tiedt announced that Pam Harris, Health Licensing Specialist was retiring from the Department. Her retirement party is scheduled for April 30, 2014 from 2:00 pm to 4:00 pm in the Lower Level F Conference Room of the State Office Building, 301 Centennial Mall South, Lincoln, NE.

Mr. Wisell announced that Jerry Holdsworth, Public Member had contacted the Department indicating that he was resigning from the Board of Emergency Medical Services. The Board extended their appreciation for his service. The Department will continue to look for a new public member from the Omaha Metro area to meet statutory requirements.

ROLL CALL

The following Board Members and Department Staff participated in the meeting:

Timothy Hoffman	Joel Cerny	Charles LaFollette
Judy Henning	Ann Fiala	Carl Rennerfeldt
Randy Boldt	Mike Miller	Troy Hiemer
Dr. Thomas Deegan	Dr. John Bonta	Karen Bowlin
Linda Jensen	Scott Wiebe	Dr. James Smith
Rene Tiedt, Program Manager	Bill Wisell, Health Licensing Coordinator	
Roger Brink, Department Legal Counsel	Ed Vierk, Assistant Attorney General	
Dennis Scott, Investigations	Duane Newland, Investigations	
Jeff Newman, Investigations		

Don Harmon was absent from the meeting.

ADOPTION OF THE REVISED AGENDA

Mr. Wiebe moved, seconded by Ms. Henning to approve the revised agenda as presented.

Voting aye: Bowlin, Boldt, Bonta, Cerny, Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette, Miller, Rennerfeldt, Smith and Wiebe Voting nay: None Absent: Deegan and Harmon
Motion carried.

APPROVAL OF MINUTES

Mr. Wisell announced the following proposed changes to the December 6, 2013 meeting minutes: addition of Karen Bowlin and Mike Miller on page 1 under Roll Call; the addition of the language "Mr. Hoffman explained to the Board that the Department has already denied reimbursement claims based on being outside of the fiscal year for which the request was made"; and Mr. Hiemer indicated time corrections in Closed Session for Ms. Schuldt, Mr. Hiemer and Mr. Newman. Ms. Henning moved, seconded by Mr. Miller to approve the December 6, 2013 minutes with these corrections. Voting aye: Boldt, Bonta, Cerny, Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette, Miller, Rennerfeldt, Smith, Bowlin Voting nay: None Abstain: Wiebe Absent: Deegan and Harmon Motion carried.

"ALL ABOUT THE CONVERSATION" PRESENTATION

Helen Chapple, PhD, RN, MA, MSN, CT, Nurse Ethicist, Assistant Professor, Creighton University provided information concerning physician orders for life-sustaining treatment (POLST). Currently there are various forms being used by various individuals, physicians, and medical facilities and Ms. Chapple requested the Board to include in rules and regulations or protocols a uniform document. Ms. Chapple provided examples of documents currently being used. After discussion, Mr. Boldt moved, seconded by Ms. Fiala to draft a letter of support to the Nebraska Board of Health and the Department concerning the development of a universal POLST form to be used throughout the State of Nebraska. Voting aye: Bonta, Cerny, Fiala, Henning, Hoffman, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, Smith, Wiebe, Bowlin and Boldt Voting nay: None Absent: Deegan and Harmon Motion carried.

EMERGENCY MEDICAL SERVICES PROGRAMS AND DEPARTMENT UPDATES

Dean Cole, Program Manager, EMS Programs announced that he had been allocated some extra money that would fund a strategic planning meeting to discuss items including community paramedicine and critical care transports with the Board. The Board will discuss possible dates and locations for a strategic meeting at their next scheduled meeting. Mr. Cole also indicated that EMS Programs had received a grant to purchase Duracell batteries for services and if there are any services in need of AA batteries to contact an EMS Programs Specialist. Mr. Cole also wanted to recognize Tim Hoffman and Carol Jorgensen, EMS Programs Specialist for their assistance with Ashton Ambulance to insure that proper medical services coverage would occur in the future for the Ashton area with the closing of that service. Mr. Cole stated that currently the new physician medical directors are taking an active role with their services which is not being received well with some of the services. Mr. Cole concluded with the importance of services submitting their data electronically in a timely fashion. The regulations stipulate that by December 15, 2014 that electronic records submission will be a requirement and currently there are services in the State of Nebraska that have not converted to electronic and/or not submitting records at all. The Board requested if there was a way to determine which services were having issues in completing this requirement. Mr. Cole will provide that information to the Department for the next meeting.

Brian Monaghan, State Education and Training Coordinator indicated that the Nebraska Board of EMS approved training agencies have been inspected as required and have met the inspection requirements. Mr. Monaghan indicated that one concern that he has been made aware of concerns the definition of "a continuing education hour" and if the Board wanted to add this definition in the next revision of the rules and regulations. Mr. Hoffman indicated that this would be reviewed when the rules and regulations were reopened.

Ms. Tiedt reported that the current reimbursement policy had been sent to the training agencies and the emergency medical services in the state. Ms. Tiedt indicated that for the past couple of years the \$118,000 that is allocated for reimbursement has not been completely used. Mr. Cerny inquired if there was a way to determine the number of people who took training courses and were eligible for reimbursement had actually applied. Ms. Tiedt indicated that this number would not be available as training agencies are not required to report the number of students who take an eligible course. Mr. Cerny also asked what the amount that was reimbursed to the students. Ms. Tiedt stated that this number varies depending on the course, the training agency and the contracted amount. She gave an example of \$350 is the amount available for a student who completes all requirements of an EMT initial course and obtains their license from the State. Mr. Miller asked if there was a way to track if people who obtained reimbursement actually practiced in Nebraska and for how long and what services they were affiliated with. Ms. Tiedt will research this issue and provide the information at the next Board meeting.

Dr. Deegan arrived at the meeting at 10:30 a.m.

Mr. Wisell provided an update to the report that was provided at the last Board meeting. This report showed the number of licenses issued since 2010 for each level that is provided under the Emergency Medical Services Practice Act. The report also showed the current number of active licenses for each level. This report was for information purposes only.

Ms. Tiedt provided information concerning the process for upgrading or downgrading of license levels. The Department is receiving requests from out-of-hospital emergency care providers and services inquiring about the process to change current license levels. Ms. Tiedt indicated that if a provider wanted to downgrade their level of license, Title 172 NAC 11 only allows that to happen during the renewal period. Otherwise, the individual must surrender their current license and depending on if the level that they wanted to change to was held by that individual in the past, then it would be a reinstatement of that license. If the individual didn't hold that level in the past, then the individual must meet the initial licensure requirements for that level. This would include either completing the training course for that level in the past two years and pass the NREMT examination for that level or have a current NREMT card for that level. It is recommended that the application to surrender the current license and application for the new level be submitted at the same time. For a service to change levels of licensure, example would be from Basic Life Support service to Advanced Life Support or from a transport service to a non-transport service, the service would be required to reapply and complete the initial licensure requirements for that level.

Ms. Tiedt informed the Board that Medic-CE.Com., LLC has completed the requirements as an approved distributive learning organization as defined in Title 172 NAC 13-018. This was for information purposes only.

Mr. Wisell requested clarification from the Board concerning the Quality Assurance Reports that were being received by the Department. Completion of the Quality Assurance Report (QAR) by services is a renewal requirement beginning in 2014. The QAR requires either a yes, no or not applicable answer to questions derived from the Title 172 NAC 12. The main concern is responses to questions that a Basic Life Support service could answer as not applicable based on changes in the Model Protocols. After discussion the Board provided direction to the Department that would allow for certain questions to be answered as not applicable. However, a no answer would still require documentation for the reason the question was answered that way. Mr. Wisell recognized North Platte Fire Department and Dr. James Smith as the first service to submit a completed QAR.

The Board took a break at 11:25 a.m.

The Board returned from the break at 11:38 a.m.

COMMITTEE UPDATES

Mr. Hoffman provided the Committee Assignments report which shows what each committee duties and “to-do” assignments would include. He indicated that in the past the Board Chairperson appointed the committee chairperson for each group and suggested that the members of each committee nominate a chairperson and the entire Board would then vote their approval. Mr. Hoffman also indicated that a liaison be named to the Mission Lifeline in the State of Nebraska. Mr. Wiebe indicated that he was not appointed to any committees based on the report. Mr. Hoffman indicated that could be corrected and added Mr. Wiebe to the Scope of Practice Committee and the Services and Providers Committee and removed Mr. Hoffman from both of those committees.

Ms. Fiala moved, seconded by Dr. Smith to approve the Committee Assignments as changed and nominate Dr. John Bonta as the Liaison to the Mission Lifeline. Voting aye: Cerny, Deegan, Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette, Miller, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt and Bonta Voting nay: None Absent: Harmon Motion carried.

Ms. Jensen moved, seconded by Mr. Rennerfeldt to nominate Randy Boldt as the Chairperson of the Legislation and Regulations Committee. Voting aye: Deegan, Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette, Miller, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt, Bonta and Cerny Voting nay: None Absent: Harmon Motion carried.

Ms. Bowlin moved, seconded by Mr. Hiemer to nominate Mike Miller as the Chairperson of the Education Committee. Voting aye: Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt, Bonta, Cerny and Deegan Voting nay: None Abstain: Miller Absent: Harmon Motion carried.

Ms. Jensen moved, seconded by Dr. Smith to nominate Ann Fiala as the Chairperson of the Scope of Practice Committee. Voting aye: Henning, Hiemer, Hoffman, Jensen, LaFollette, Miller, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt, Bonta, Cerny, and Deegan Voting nay: None Abstain: Fiala Absent: Harmon Motion carried.

Mr. Rennerfeldt moved, seconded by Ms. Fiala to nominate Troy Hiemer as the Chairperson of the Services and Providers Committee. Voting aye: Hoffman, Jensen, Miller, LaFollette, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt, Bonta, Cerny, Deegan and Fiala Voting nay: None Abstain: Hiemer Absent: Harmon Motion carried.

Mr. Wiebe moved, seconded by Dr. Bonta to nominate Tim Hoffman as the Chairperson of the Site Committee. Voting aye: Jensen, LaFollette, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt, Bonta, Cerny, Deegan, Fiala, Henning and Hiemer Voting nay: None Abstain: Hoffman Absent: Harmon Motion carried.

Ms. Jensen requested that the Board have a liaison with the nursing profession in the State of Nebraska. Mr. Miller moved, seconded by Ms. Bowlin to nominate Ms. Jensen as the liaison with the Nebraska Nurses Association. Voting aye: LaFollette, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt, Bonta, Cerny, Deegan, Fiala, Henning and Hiemer Voting nay: None Abstain: Jensen Absent: Harmon Motion carried.

Mr. Wisell provided a report outlining proposed legislation currently being considered by the Nebraska Unicameral. Mr. Cerny added LB911 and LB1082 to the list of legislation. LB911 would create an advisory council for the next generation 911 system. LB1082 would allow all-terrain vehicles and utility type vehicles to be operated as authorized emergency vehicles. This was for informational purposes only.

There was nothing reported for the Services and Providers, Education or Scope of Practice committees.

Mr. Hoffman indicated that the Trauma Board had not met since the last Board of Emergency Medical Services meeting.

Dr. Deegan, Liaison for Emergency Medical Services for Children (EMSC) reported on the following:

- The EMSC received a Notice Grant Award for 2014-2015 for approximately \$130,000;
- Recognition for everybody's hard work in completing the EMS Service Survey. The response rate was 96.8% or 364 of the 376 services responded to the survey. The national response rate was 79.6%;
- A letter was sent to all Nebraska Physician Medical Directors concerning Nebraska Department of Education Rule 59 and the use of auto-injectors;
- A telehealth presentation on asthma and anaphylaxis for front line providers by Dr. Hopp will occur April 8, 2014 on the Nebraska Telehealth. Currently Wayne, Avera Creighton and Syracuse hospitals have signed up for the presentation;
- Pediatric Emergency Training Simulation (PETS) classes continue at hospitals throughout Nebraska. Currently 46 hospitals have participated in the classes and 737 nurses and a few EMS professionals have attended; and
- EMS Week will be May 18-24. The theme this year will be "EMS: Dedicated for Life" and EMSC day will be Wednesday, May 21, 2014.

Debbie Von Seggren, President of Nebraska Emergency Medical Services Association (NEMSA) informed the Board that NEMSA had sent a letter of support for LB911 to the Transportation Committee of the Unicameral. Ms. Von Seggren also reminded the Board of the NEMSA Spring Conference will be March 14-16, 2014 at the Divots Conference Center in Norfolk, NE.

Joel Cerny, Nebraska State Volunteer Firefighters Association (NSVFA) District 4 Director reported that through the State Tuition Reimbursement as Incentive for Volunteer Emergency Responders (STRIVE) an individual from Boys Town was able to complete his EMS Training program.

MISCELLANEOUS BUSINESS

Mr. Hoffman reported that he and Mr. Miller had a discussion concerning community paramedicine and critical care paramedic issues throughout the State of Nebraska. The concern is that the Board would be left behind on these issues. The main issue for the Board is getting the statutes changed to allow for additional licensure levels. Mr. Hoffman assigned the Education and Scope of Practice Committees to continue to monitor these issues and report back to the Board at the meeting.

Mr. Hoffman provided a report addressing drug shortages that are still occurring in public health. This report was for information purposes only.

Mr. Monaghan informed the Board that the issue of students from states where certain drugs had been legalized is being disciplined for failure or possession of these drugs at the training agency. The Board determined that if an individual is in possession of a drug that the State of Nebraska considers being illegal, then the individual is subject to discipline.

*Mr. Vierk, Mr. Newland, Mr. Scott and Mr. Newman arrived at the meeting at 12:37 p.m.
Ms. Fiala left the meeting at 12:45 p.m.*

Mr. Hoffman presented an update to the Service Equipment List. After discussion, Mr. LaFollette moved, seconded by Dr. Smith to approve the Service Equipment List. Voting aye: LaFollette, Miller, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt, Bonta, Cerny, Deegan, Henning, Hiemer, Hoffman and Jensen. Voting nay: None. Absent: Fiala and Harmon. Motion carried.

Ms. Bowlin requested the Board clarification concerning services writing course objectives for continuing education. Title 172 NAC 11-007.02 item 2 states that an acceptable continuing education course must have objectives that relate to the subject matter of an EMS course with an emergency medical service focus. Ms. Bowlin had been asked to how much detail the objective must include. Ms. Tiedt indicated that individuals who were submitting information for audits of their continuing education were not including enough information. After discussion, the Board determined that the objective must show how the course relates to providing emergency medical service.

Mr. Wisell provided the Board an update of the Application Processing Report. The report shows by licensure level: the number of applications currently being processed by the Department; number of applications denied; number of licenses issued; number of active licenses; number of renewed licenses. Mr. Wisell expressed a concern that over 1200 individuals at the EMT level had failed to renew their license prior to December 31, 2013. This report is for information purposes only.

Mr. Rennerfeldt moved, seconded by Mr. Miller to reaffirm the mail ballots for licensure of: Bernardino Rodriguez to practice as emergency medical technician; offer a probationary EMT license to Andrew Reyes to practice as an emergency medical technician and approve the application of EMS Training Network as a training agency. Voting aye: Miller, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt, Bonta, Cerny, Deegan, Fiala, Henning, Hiemer, Hoffman, Jensen and LaFollette. Voting nay: None. Absent: Harmon. Motion carried.

Mr. Vierk left the meeting at 1:25 p.m.

CLOSED SESSION

Mr. Miller moved, seconded by Mr. LaFollette to go into closed session at 1:25 p.m. to hear discussions regarding confidential information and to protect the reputation of individuals. Voting aye: Rennerfeldt, Smith, Wiebe, Bowlin, Boldt, Bonta, Cerny, Deegan, Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette and Miller. Voting nay: None. Absent: Harmon. Motion carried.

*Mr. Brink left the meeting at 1:52 p.m.
Mr. Vierk joined the meeting at 1:52 p.m.
Dr. Bonta left the meeting at 1:55 p.m.
Dr. Bonta returned to the meeting at 2:15 p.m.
Ms. Bowlin and Mr. Hiemer left the meeting at 2:15 p.m.
Ms. Bowlin and Mr. Hiemer returned to the meeting at 2:52 p.m.
Ms. Jensen, Mr. Cerny, Ms. Bowlin and Mr. Hiemer left the meeting at 2:53 p.m.
Ms. Jensen, Mr. Cerny, Ms. Bowlin and Mr. Hiemer returned to the meeting at 2:54 p.m.
Mr. Wiebe left the meeting at 2:54 p.m.
Mr. Wiebe returned to the meeting at 3:00 p.m.*

*Mr. Hiemer left the meeting at 3:11 p.m.
Mr. Hiemer returned to the meeting at 3:15 p.m.
Ms. Jensen left the meeting at 3:15 p.m.
Ms. Jensen returned to the meeting at 3:21 p.m.
Mr. Wiebe left the meeting at 3:22 p.m.
Mr. Wiebe returned to the meeting at 3:23 p.m.
Mr. Hiemer left the meeting at 3:23 p.m.
Mr. Hiemer returned to the meeting at 3:30 p.m.
Mr. Wisell left the meeting at 3:30 p.m.
Mr. Wisell returned to the meeting at 3:40 p.m.
Dr. Bonta left the meeting at 3:45 p.m.*

OPEN SESSION

Dr. Smith, seconded by Mr. Miller to return to open session at 3:50 p.m. Voting aye: Smith, Wiebe, Bowlin, Boldt, Cerny, Deegan, Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette, Miller and Rennerfeldt Voting nay: None Absent: Bonta and Harmon Motion carried.

DECISIONS

Mr. Miller moved, seconded by Dr. Deegan to recommend reinstatement of Jennifer Ramsey-Dietlin's emergency medical technician license #18319. Voting aye: Wiebe, Bowlin, Boldt, Cerny, Deegan, Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette, Miller, Rennerfeldt and Smith Voting nay: None Absent: Bonta and Harmon Motion carried.

Mr. Miller moved, seconded by Mr. Cerny to approve Rebecca Johnson and Ryan Anderson applications to practice as emergency medical technicians in the State of Nebraska. Voting aye: Bowlin, Boldt, Cerny, Deegan, Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette, Miller, Rennerfeldt, Smith and Wiebe Voting nay: None Absent: Bonta and Harmon Motion carried.

Dr. Bonta returned to the meeting at 3:48 p.m.

Mr. Cerny moved, seconded by Mr. Rennerfeldt to approve the application of Southeast Community College Continuing Education program. Voting aye: Cerny, Deegan, Fiala, Henning, Hiemer, Hoffman, Jensen, LaFollette, Miller, Rennerfeldt, Smith, Wiebe, Bowlin, Boldt and Bonta Voting nay: None Absent: Harmon Motion carried.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 3:55 p.m.

Respectfully submitted,

Scott Wiebe, Secretary

Written by: Bill Wisell, Health Licensing Coordinator